

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
February 27, 2025

Name of Offender: **Daniel Kirby Bay**

Case Number: **3:23CR00004**

Name of Sentencing Judicial Officer: **Honorable Dee V. Benson**

Date of Original Sentence: **November 27, 2012**

Original Offense: **Possession of Child Pornography**

Original Sentence: **120 Months prison, Lifetime TSR**

Dates of Prior Revocation: **September 4, 2024: 6 Months Custody, Lifetime TSR**

Date Supervision Commenced: **February 10, 2025**

Date Jurisdiction Transferred to District of Nevada: **February 13, 2023**

Name of Assigned Judicial Officer: **Judge Anne R. Traum**

**PETITIONING THE COURT TO MODIFY THE CONDITIONS OF SUPERVISION AS
FOLLOWS:**

Residential Reentry Center – You must reside in a residential reentry center for a term of up to 180 days. You must follow the rules and regulations of the center.

CAUSE

Daniel Bay commenced his second term of supervised release on February 10, 2025. Mr. Bay's current residence is set to be rented to another party on March 1, 2025. Mr. Bay has no residential plan and will otherwise be homeless at that time. Without a suitable residential plan, his likelihood of success is limited and poses a risk to the community. Because Mr. Bay has no residential plan, he has agreed to modify the conditions of supervision to include up to 180 days placement at the residential reentry center. This will increase his chances of success by providing a temporary stable residential placement and employment training opportunities.

RE: Daniel Kirby Bay

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Therefore, it is respectfully recommended that the conditions of supervision be modified to include up to 180 days placement at the residential reentry center, as reflected in the attached waiver signed by Mr. Bay.

Respectfully submitted,



Digitally signed by Kory Augustus
Date: 2025.02.27 15:36:38 -08'00'

Kory Augustus
Senior United States Probation Officer

Approved:



Digitally signed by Erik Flocchini
Date: 2025.02.27 15:26:19 -08'00'

Erik Flocchini
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):
-
-



Signature of Judicial Officer

___2/28/2025___ Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

District of Nevada

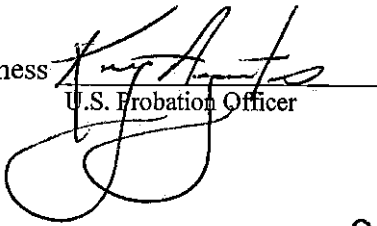
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Residential Reentry Center – You must reside in a residential reentry center for a term of up to 180 days. You must follow the rules and regulations of the center.

Witness


U.S. Probation Officer

Signed


Probationer or Supervised Releasee

Date

2/26/25